

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : M.B. CHANCELLOR and J. HUARD  
Serial No. : To Be Assigned Group: To Be Assigned  
Filed : Herewith (April 30, 1999) Examiner: To Be Assigned  
For : Muscle-Derived Cell Mediated Gene Delivery for Treating Muscle- and Bone-Related Injury or Dysfunction

EXPRESS MAIL CERTIFICATE (37 C.F.R. §1.10)

Express Mail Label No.: EJ 854 034 636 US

Date of Deposit: April 30, 1999

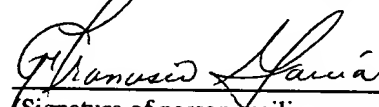
I hereby certify that the following attached paper(s) and/or fee

- 1) Utility Patent Application Fee Transmittal under 37 CFR §1.53(b)
- 2) Utility Patent Application containing 118 total pages, including 11 pages of Claims and 1 page of Abstract; 17 sheets of drawings of Figs. 1-15
- 3) Application fee (check for \$2448.00)
- 4) Combined Declaration and Power of Attorney (3 pages, unsigned)
- 5) 1 page Sequence Listing
- 6) Statement under 37 CFR §1.821(f) that computer-readable and written copies of Sequence Listing are the same;
- 7) 3.5 inch computer disk containing Sequence Listing;
- 8) Return Postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to: **BOX: PATENT APPLICATION,**  
Assistant Commissioner for Patents, Washington, D.C. 20231.

Francisco Garcia

(Typed or printed name of person mailing papers and/or fee)



(Signature of person mailing papers and/or fee)

CORRESPONDENCE ADDRESS:

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PATENT

Docket No. 2710-4007 US1

Express Mail Label No. EJ 854 034 636 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**UTILITY APPLICATION AND APPLICATION FEE TRANSMITTAL**  
**(37 C.F.R. §1.53(b))**

jc551 U.S. PTO  
09/302896  
04/30/99

ASSISTANT COMMISSIONER FOR PATENTS  
Box Patent Application  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the patent application of

Named Inventor(s) and  
Address(es):

Michael B. CHANCELLOR and Johnny HUARD

For:

**MUSCLE-DERIVED CELL MEDIATED GENE DELIVERY FOR TREATING**  
**MUSCLE- AND BONE-RELATED INJURY OR DYSFUNCTION**

Enclosed are:

[X] 118 page(s) of Specification, including Claims and Abstract; 1 page of Abstract,  
11 pages of Claims

[X] 17 sheets of Drawings [X] formal [ ] informal

[X] 3 pages of Combined Declaration and Power of Attorney

[X] Unsigned

[ ] Newly Executed

[ ] Executed Copy from prior application

[ ] Deletion of inventors including Signed Statement under 37 C.F.R. § 1.63(d)(2)

[ ] Incorporation by Reference: The entire disclosure of the prior application, U.S. Serial No. \_\_\_\_\_, filed \_\_\_\_\_ from which a copy of the combined declaration and power of attorney is supplied herein, is considered to be part of the disclosure of the accompanying application and is hereby incorporated herein by reference.

[ ] Microfiche Computer Program (Appendix)

[X] 1 page of Sequence Listing

[X] Computer readable disk containing Sequence Listing  
Statement under 37 C.F.R. § 1.821(f) that computer and paper copies of the Sequence Listing are the same

EJ 854 034 636US

- ☐ Claim for Priority
- ☐ Certified copy of Priority Document(s)
- ☐ English translation documents
- ☐ Information Disclosure Statement
- ☐ Copy of \_\_\_\_\_ cited references
- ☐ Copy of PTO-1449 filed in parent application serial No. \_\_\_\_\_.
- ☐ Preliminary Amendment
- ☒ Return receipt postcard (MPEP 503)
- ☐ Assignment Papers (assignment cover sheet and assignment documents)
- ☐ A check in the amount of \$40.00 for recording the Assignment.
- ☐ Assignment papers filed in parent application Serial No. \_\_\_\_\_.
- ☐ Certification of chain of title pursuant to 37 C.F.R. § 3.73(b).
- ☐ This is a ☐ continuation ☐ divisional ☐ continuation-in-part (C-I-P) of prior application U.S. Serial No. \_\_\_\_\_
- ☐ Cancel in this application original claims \_\_\_\_\_ of the parent application. (At least one original independent claim must be retained for filing purposes.)
- ☐ A Preliminary Amendment is enclosed. (Claims added by this Amendment have been properly numbered consecutively beginning with the number following the highest numbered original claim in the prior application.) The filing fee is based on the number of claims as presented in the Preliminary Amendment.
- ☐ The status of the parent application is as follows:
- ☐ A Petition For Extension of Time and a Fee therefor has been or is being filed in the parent application to extend the term for action in the parent application until \_\_\_\_\_.
- ☐ A copy of the Petition for Extension of Time in the co-pending parent application is attached.
- ☐ No Petition For Extension of Time and Fee therefor are necessary in the co-pending parent application.
- ☐ Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this application co-pending.
- ☐ Transfer the drawing(s) from the patent application to this application.
- ☐ Amend the specification of the instant divisional application by inserting before the first line the sentence: This is a ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending application U.S. Serial No. , filed \_\_\_\_\_.

09302996-043099

## I. CALCULATION OF APPLICATION FEE (For Other Than A Small Entity)

	Number Filed		Number Extra	Rate	Basic Fee
					\$ 760.00
Total Claims	80	-20=	60	x\$18.00	\$1080.00
Independent Claims	9	- 3=	6	x\$78.00	\$ 608.00
Multiple Dependent Claims					
	<input type="checkbox"/> yes		Additional Fee =	\$260.00	
	<input checked="" type="checkbox"/> no		Add'l Fee =	NONE	\$ 0.00

Total: \$ 2448.00

- ☐ A statement claiming small entity status is attached or has been filed in the above-identified parent application and its benefit under 37 C.F.R. § 1.28(a) is hereby claimed. Reduced fees under 37 C.F.R. § 1.9(F) (50% of total) paid herewith \$ \_\_\_\_\_.
- ☒ A check in the amount of \$ 2448.00 in payment of the application filing fees is attached.
- ☐ Charge Fee(s) to Deposit Account No. 13-4500. Order No. \_\_\_\_\_. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for filing this application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 2710-4007 US1. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

MORGAN &amp; FINNEGAN, L.L.P.

Dated: April 30, 1999

By: Leslie A. Serunian  
 Leslie A. Serunian  
 Registration No. 35,353

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